

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

FILED
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CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND, OHIO

UNITED STATES OF AMERICA :
Plaintiff : CASE NO. 4:07CR603-02
-vs- :
ISMAEL CAMACHO, III : ORDER ACCEPTING PLEA
Defendant : AGREEMENT AND JUDGMENT AND
: NOTICE OF HEARING
----- :
----- :

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Nancy A. Vecchiarelli regarding the change of plea hearing and plea agreement of Ismael Camacho which was referred to the Magistrate Judge with the consent of the parties.

On 27 November 2007, the government filed a ten-count indictment against Ismael Camacho for conspiracy to possess with the intent to distribute heroin and possession with intent to distribute cocaine in violation of 21 U.S.C. § 846, distribution of heroin in violation of 21 U.S.C. § 841(a)(1) and § 841(b)(1)(C), possession with intent to distribute heroin in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B), felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1), and

unlawful use of a communication facility to facilitate a drug trafficking offense in violation of 21 U.S.C. § 843(b). On 12 December 2007, a hearing was held in which Ismael Camacho entered a plea of not guilty before Magistrate Judge George J. Limbert. On 5 May 2009, Magistrate Judge Vecchiarelli received Ismael Camacho's plea of guilty and issued a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Ismael Camacho is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Ismael Camacho is adjudged guilty of Count One in violation of 21 U.S.C. § 846.

Sentencing will be:

14 July 2009 at 10:30 a.m.

**Courtroom 19-A
19th Floor, United States District Court
801 West Superior Avenue
Cleveland, Ohio 44113**

IT IS SO ORDERED.

Dated:

22 May 2009

Leroy Niles
UNITED STATES DISTRICT JUDGE